

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: March 16, 2005

Division: Community Services

Bulk Item: Yes X No     

Department: Social Services

Staff Contact Person: Louie LaTorre



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**AGENDA ITEM WORDING:** Approval to send to the Responsible Party for a Bayshore Manor resident, a notice that the Contract will be terminated and that the resident will have to evacuate Bayshore Manor no later than forty-five (45) days from the date of the Notice. If resident does not evacuate Bayshore Manor by the end of forty-five (45) days, this approval will also encompass authorization for the County Attorney to initiate litigation to remove the resident.

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**ITEM BACKGROUND:** See attached letter

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**PREVIOUS RELEVANT BOCC ACTION:** N/A

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**CONTRACT/AGREEMENT CHANGES:** N/A

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**STAFF RECOMMENDATIONS:** Approval

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**TOTAL COST:** N/A


**BUDGETED:** Yes N/A No N/A

**COST TO COUNTY:** N/A **SOURCE OF FUNDS:**

**REVENUE PRODUCING:** Yes N/A No      **AMOUNT PER MONTH**      **Year**     

**APPROVED BY:** County Atty N/A OMB/Purchasing N/A Risk Management N/A

**DIVISION DIRECTOR APPROVAL:**

  
JIM MALLOCH, Division Director

**DOCUMENTATION:** Included X Not Required     

**DISPOSITION:**     

**AGENDA ITEM #**



**BOARD OF COUNTY COMMISSIONERS**  
MAYOR Dixie M. Spehar, District 1  
Mayor Pro Tem, Charles "Sonny" McCoy, Dist 3  
George Neugent, District 2  
David P. Rice, District 4  
Murray E. Nelson, District 5

Office of the County Attorney  
PO Box 1026  
Key West, FL 33041-1026  
305/292-3470 - Phone  
305/292-3516 - Fax



February 8, 2005

SENT VIA CERTIFIED LETTER

RE: Bayshore Manor

Dear

A copy of Rebecca Angel's January 14, 2005 letter to you has been provided to me along with proof of service dated January 15, 2005 of said letter. That letter reiterated that you were advised that the change of your father's status as a resident at Bayshore Manor from private pay to non-private pay was conditioned upon a determination of eligibility from the Department of Children and Families (DCF) for food stamps, Medicaid, Medicare Beneficiary Programs and/or any other state funded programs for which your father may be eligible. The letter noted that while you complied with the application requirement, DCF had informed Monroe County that your father's case was denied and closed based on their investigation of three open accounts in your father's name with assets in excess of . The letter also directed you to provide documentation showing that DCF's information was incorrect and that the assets were not available or your father would be returned to private pay status effective January 1, 2005, which would require the private pay fee to be paid. As of the date of this letter, you have not paid the amount required of private pay residents nor have you provided any documentation to show that DCF's information is incorrect.

Accordingly, I am writing to you to inform you that should these matters not be resolved on a timely basis, the Board of County Commissioners will be requested to terminate the contract and to authorize the County Attorney's Office to pursue payment from you for the private pay rate for the time period involved up to termination of your father's residency at Bayshore Manor.

PLEASE GOVERN YOURSELF ACCORDINGLY.

Sincerely,

Suzanne A. Hutton  
Assistant County Attorney

SAH:dct

cc: Louis LaTorre ✓  
Rebecca Angel ✓